

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MALQUISUA MENDEZ

-V-

ORDER OF DISMISSAL
FOR LACK OF ACTIVITY
ADOPTING REPORT & RECOMMENDATION

CV 10-1960 (JS) (WDW)

ACTING SHERIFF OF NASSAU CO.

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MALQUISUA MENDEZ

-V-

CV 10-2573 (JS) (WDW)

MICHAEL SPOSATO

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APPEARANCES:

For Plaintiff:

Malquisua Mendez, *Pro Se*

#10-A-5370

Mid-State Correctional Facility

P.O. Box 2500

Marcy NY 13403

For Defendants:

Liora Ben-Sorek, Esq.

Peter Laserna, Esq.

Nassau Co. Attorney's Office

1 West St.

Mineola NY 11501

SEYBERT, DISTRICT JUDGE:

The above-captioned cases were commenced on Apr. 23, 2010, and Jun. 3, 2010.

In his Report & Recommendation dated Sep. 8, 2011 (docket entries [22] on 10-1960 and [23] on 10-2573, Magistrate Judge William D. Wall clearly outlined the plaintiff's failure to comply with deadlines and requirements. The plaintiff had been warned that continued failure would result in a recommendation that the cases be dismissed. Absent any further communication from the plaintiff, Judge Wall issued his Report & Recommendation.

No objection having been received, the Report & Recommendation is adopted.

IT IS HEREBY ORDERED that these cases be dismissed without prejudice for lack of prosecution, pursuant to Rule 41(b), and for failure to comply with court orders, pursuant to Rule 37(b)(2)(A)(v), Federal Rules of Civil Procedure. The Clerk of Court is directed to mark the cases closed.

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT
U.S. DISTRICT JUDGE

Dated: Central Islip, New York

Sep. 29, 2011